

Washington, DC 20425. Phone, 202-376-8110.

For further information, contact the Office of the Staff Director, United States Commission on Civil Rights, Room 730, 624 Ninth Street NW., Washington, DC 20425. Phone, 202-376-7700. TTY, 202-376-8116. Internet, www.usccr.gov.

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The United States International Trade Commission furnishes studies, reports, and recommendations involving international trade and tariffs to the President, the U.S.

Trade Representative, and congressional committees. The Commission also conducts a variety of investigations pertaining to international trade relief.

The United States International Trade Commission is an independent agency created by act of September 8, 1916 (39 Stat. 795), and originally named the United States Tariff Commission. The name was changed to the United States International Trade Commission by section 171 of the Trade Act of 1974 (19 U.S.C. 2231).

Six Commissioners are appointed by the President with the advice and consent of the Senate for 9-year terms, unless appointed to fill an unexpired term. The Chairman and Vice Chairman are designated by the President for 2-year terms, and succeeding Chairmen may not be of the same political party. The Chairman generally is responsible for the administration of the Commission. Not more than three Commissioners may be members of the same political party (19 U.S.C. 1330).

Activities

The Commission performs a number of functions pursuant to the statutes referred to above. Under the Tariff Act of 1930, the Commission is given broad powers of investigation relating to the customs laws of the United States and foreign countries; the volume of importation in comparison with domestic production and consumption; the conditions, causes, and effects relating to competition of foreign industries with those of the United States; and all other factors affecting competition between articles of the United States and imported articles. The Commission is required, whenever requested, to make available to the President, the House Committee on Ways and Means, and the Senate Committee on Finance all information at its command, and is directed to make such investigations and reports as may be requested by the President, said committees, or Congress.

In order to carry out these responsibilities, the Commission is required to engage in extensive research, conduct specialized studies, and maintain a high degree of expertise in all

matters relating to the commercial and international trade policies of the United States.

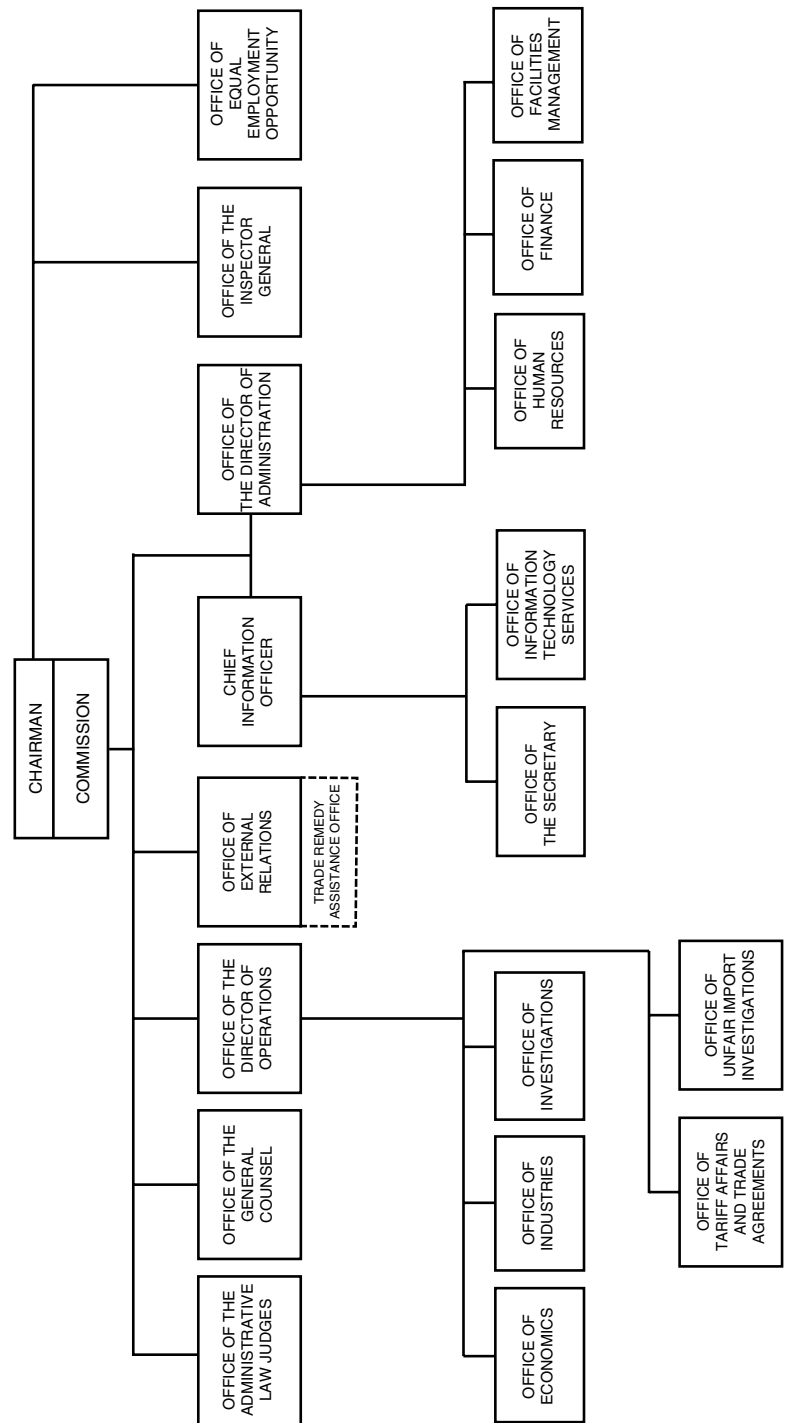
Imported Articles Subsidized or Sold at Less Than Fair Value The Commission conducts preliminary-phase investigations to determine whether imports of foreign merchandise allegedly being subsidized or sold at less than fair value injure or threaten to injure an industry in the United States. If the Commission's determination is affirmative, and the Secretary of Commerce determines there is reason to believe or suspect such unfair practices are occurring, then the Commission conducts final-phase investigations to determine the injury or threat of injury to an industry because of such imports.

Under the Uruguay Round Agreements Act, the Commission also conducts sunset reviews. In these reviews, the Commission evaluates whether material injury to a U.S. industry would continue or recur if the antidumping duty or countervailing duty order under review was revoked. Such injury reviews must be conducted on all antidumping duty and countervailing duty orders every 5 years as long as the orders remain in effect.

Unfair Practices in Import Trade The Commission applies U.S. statutory and common law of unfair competition to the importation of products into the United States and their sale. If the Commission determines that there is a violation of law, it is to direct that the articles involved be excluded from entry into the United States, or it may issue cease-and-desist orders directing the person engaged in such violation to cease and desist from engaging in such unfair methods or acts.

Trade Negotiations The Commission advises the President as to the probable economic effect on the domestic industry and consumers of modification of duties and other barriers to trade that may be considered for inclusion in any proposed trade agreement with foreign countries.

UNITED STATES INTERNATIONAL TRADE COMMISSION



Generalized System of Preferences The Commission advises the President with respect to every article that may be considered for preferential removal of the duty on imports from designated developing countries as to the probable economic effect the preferential removal of duty will have on the domestic industry and on consumers.

Industry Adjustment to Import Competition (Global Safeguard Actions)

The Commission conducts investigations upon petition on behalf of an industry, a firm, a group of workers, or other entity representative of an industry to determine whether an article is being imported in such increased quantities as to injure or threaten to injure the domestic industry producing an article like or directly competitive with the imported article. If the Commission's finding is affirmative, it recommends to the President the action that would address such a threat and be most effective in facilitating positive adjustment by the industry to import competition. The President determines if import relief is appropriate.

The Commission reports with respect to developments within an industry that has been granted import relief and advises the President of the probable economic effect of the reduction or elimination of the tariff increase that has been granted. The President may continue, modify, or terminate the import relief previously granted.

Imports From NAFTA Countries (Bilateral Safeguard Actions) The Commission conducts investigations to determine whether, as a result of the reduction or elimination of a duty provided for under the North American Free Trade Agreement (NAFTA), a Canadian article or a Mexican article, as the case may be, is being imported into the United States in such increased quantities and under such conditions so that imports of the article constitute a substantial cause of serious injury or (except in the case of a Canadian article) a threat of serious injury to the domestic industry producing an article that is like or directly competitive with the imported article. If the Commission's

determination is in the affirmative, the Commission recommends to the President the relief which is necessary to prevent or remedy serious injury. Commission investigations under these provisions are similar procedurally to those conducted under the global safeguard action provisions.

Imports from China (Bilateral Safeguard Actions) The Commission conducts investigations to determine whether products from China are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products. If the Commission makes an affirmative determination, it proposes a remedy. The Commission sends its reports to the President and the U.S. Trade Representative. The President makes the final remedy decision.

Market Disruption From Communist Countries The Commission conducts investigations to determine whether increased imports of an article produced in a Communist country are causing market disruption in the United States. If the Commission's determination is in the affirmative, the President may take the same action as in the case of serious injury to an industry, except that the action would apply only to imports of the article from the Communist country. Commission investigations conducted under this provision are similar procedurally to those conducted under the global safeguard action provisions.

Import Interference With Agricultural Programs The Commission conducts investigations, at the direction of the President, to determine whether any articles are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective or to materially interfere with programs of the Department of Agriculture for agricultural commodities or products thereof, or to substantially reduce the amount of any product processed in the United States from such commodities or products, and makes findings and recommendations. The

President may restrict the imports in question by imposition of either import fees or quotas. Such fees or quotas may be applied only against countries that are not members of the World Trade Organization.

Uniform Statistical Data The Commission, in cooperation with the Secretary of the Treasury and the Secretary of Commerce, establishes for statistical purposes an enumeration of articles imported into the United States and exported from the United States, and seeks to establish comparability of such statistics with statistical programs for domestic production.

Harmonized Tariff Schedule of the United States, Annotated The Commission issues a publication containing the U.S. tariff schedules and related matters and considers questions concerning the arrangement of such schedules and the classification of articles.

International Trade Studies The Commission conducts studies, investigations, and research projects on a broad range of topics relating to international trade, pursuant to requests of the President, the House Ways and Means Committee, the Senate Finance Committee, either branch of the Congress, or on its own motion. Public reports of these studies, investigations, and research projects are issued in most cases.

The Commission also keeps informed of the operation and effect of provisions relating to duties or other import restrictions of the United States contained in various trade agreements. Occasionally the Commission is required by statute to perform specific trade-related studies.

Industry and Trade Summaries The Commission prepares and publishes a series of summaries of trade and tariff information. These summaries contain descriptions (in terms of the Harmonized Tariff Schedule of the United States) of the thousands of products imported into the United States, methods of production, and the extent and relative importance of U.S. consumption,

production, and trade, together with certain basic factors affecting the competitive position and economic health of domestic industries.

Sources of Information

Inquiries should be directed to the specific organizational unit or to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. Phone, 202–205–2745.

Contracts The Procurement Executive has responsibility for contract matters. Phone, 202–205–2745.

Electronic Access Commission publications, news releases, *Federal Register* notices, scheduling information, the Commission's interactive Trade and Tariff DataWeb, and general information about ITC are available for electronic access. Investigation-related public inspection files are available through the Electronic Document Imaging System (EDIS). Internet, www.usitc.gov.

Employment Information on employment can be obtained from the Director, Office of Human Resources. The Agency employs international economists, attorneys, accountants, commodity and industry specialists and analysts, and clerical and other support personnel. Phone, 202–205–2651.

Publications The Commission publishes results of investigations concerning various commodities and subjects. Other publications include *Industry and Trade Summaries*, an annual report to the Congress on the operation of the trade agreements program, and an annual review of Commission activities. Specific information regarding these publications can be obtained from the Office of the Secretary.

Reading Rooms Reading rooms are open to the public in the Office of the Secretary, the ITC National Library of International Trade, and the ITC law library.

For further information, contact the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. Phone, 202-205-2000. Internet, www.usitc.gov.

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